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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,555	02/20/2004	James F. Stevenson	H0006422--1170	7448
128	7590	09/18/2006	EXAMINER	
HONEYWELL INTERNATIONAL INC. 101 COLUMBIA ROAD P O BOX 2245 MORRISTOWN, NJ 07962-2245			LUKS, JEREMY AUSTIN	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 09/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/783,555	Applicant(s) STEVENSON ET AL.	
	Examiner Jeremy Luks	Art Unit 2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/20/04, 7/28/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 11 and 12 recite the limitation "*the* reinforcement material" in the first line of each claim. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 6-7 and 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Rose (4,313,524) in view of Casser (5,945,643). Rose teaches an integrated noise suppression acoustic panel (Figure 1), comprising: a substantially imperforate back plate (12); an at least partially perforated (20) face plate (18); and an open cell bulk foam absorber (17) disposed between the back plate (12) and the perforated face plate (18) (Col. 1, Line 66 - Col. 2, Line 11). Rose fails to teach the bulk foam absorber comprising an epoxy thermoset material, and wherein the foam bulk absorber further comprises a reinforcement material. Casser teaches a foam absorber (Figure 1, #20) comprising an epoxy thermoset material (Col. 5, Lines 62-64) and a reinforcement material (Col. 5, Lines 21-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Rose, with the apparatus of

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Casser to prove a foam absorber that exhibits high rigidity and vibration dampening properties.

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rose (4,313,524) in view of Casser (5,945,643) as applied to claim 1 above, and further in view of Bizlewicz (5,929,395). Rose and Casser are relied upon for the reasons and disclosures set forth above. Rose and Casser fail to teach wherein the bulk foam absorber has a density gradient between the first side and the second side. Bizlewicz teaches a foam absorber (Figure 4, #82) having a density gradient between the first side and the second side (Col. 3, Lines 57-62). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Rose as modified, with the apparatus of Bizlewicz to enhance absorption of vibrational energy

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rose (4,313,524) in view of Casser (5,945,643) and Bizlewicz (5,929,395) as applied to claim 4 above, and further in view of Nelson (5,135,073). Rose, Casser and Bizlewicz are relied upon for the reasons and disclosures set forth above. Rose, Casser and Bizlewicz fail to teach wherein the density of the bulk foam absorber at the first side is greater than the density of the bulk foam absorber at the second side. Nelson teaches wherein the density of a core absorber at the first side is greater than the density of the bulk foam absorber at the second side (Col. 7, Line 49 – Col. 8, Line 25). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Rose as modified, with the apparatus of Nelson to achieve optimal noise abatement.

5. Claims 8, 9, 11 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Rose (4,313,524) in view of Casser (5,945,643) as applied to claim 1 above, and further in view of Haas (6,638,990). Rose and Casser are relied upon for the reasons and disclosures set forth above. Casser further teaches a reinforcement material comprising a synthetic polymer or carbon fiber (Col. 5, Lines 21-25). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Rose, with the apparatus of Casser to provide a foam absorber that exhibits high rigidity and vibration dampening properties. Rose and Casser fail to teach wherein the bulk foam absorber further comprises a liquid blowing agent. Haas teaches a foam absorber comprising a liquid blowing agent (Col. 2, Lines 8-22). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the apparatus of Rose as modified, with the apparatus of Haas to give the foam desired physical and acoustic characteristics.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pertinent arts of record relating to are disclosed in the PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Luks whose telephone number is (571) 272-2707. The examiner can normally be reached on Monday-Thursday 8:30-6:00, and alternating Fridays.

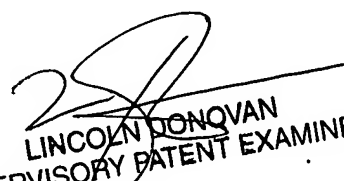
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan can be reached on (571) 272-1988. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeremy Luks  
Patent Examiner  
Art Unit 2837

  
LINCOLN DONOVAN  
SUPERVISORY PATENT EXAMINER